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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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23552	7590	07/12/2007		
MERCHANT & GOULD PC P.O. BOX 2903 MINNEAPOLIS, MN 55402-0903				
			EXAMINER	
			CULLER, JILL E	
			ART UNIT	PAPER NUMBER
			2854	
			MAIL DATE	DELIVERY MODE
			07/12/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/521,320

Applicant(s)

HANSSON ET AL.

Examiner

Jill E. Culler

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 April 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 November 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

1. In response to applicant's traversal of the objection to claims 4-8 for multiple dependencies, it is noted that, although applicant makes reference to a preliminary amendment filed with the application, no such amendment appears in the case file and therefore could not have been considered. However, in the interests of furthering prosecution, the amended claims, submitted April 12, 2007, are considered in their entirety as the pending claims in the application and have been examined accordingly.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-4 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S.

Patent No. 5,299,495 to Schoeps et al.

With respect to claim 1, Schoeps et al. teaches a method for keeping a number of spray nozzles, 7, in a printing press spray beam clean, wherein air with a certain flow rate is supplied to separate covers, each separate cover surrounding a single spray nozzle and having an opening for a spray cone from the spray nozzle, wherein the air flow rate is controlled by means of a throttling device connected to each separate cover,

and wherein the air flow is low enough not to disturb the spray from the nozzle. See column 3, lines 21-24 and column 4, lines 19-23 and lines 54-59.

With respect to claim 2, Schoeps et al. teaches a device for keeping a number of spray nozzles, 7, in a printing press spray beam clean, each spray nozzle being surrounded by a separate cover comprising an opening for a spray cone from the spray nozzle, wherein each cover is connected to air flow control means, each air flow control means comprising a throttling device that restricts the air flow enough to leave the spray cone undisturbed. See column 3, lines 21-24 and column 4, lines 19-23 and lines 54-59.

With respect to claims 3 and 4, Schoeps et al. teaches that the opening in the cover has the form of a slot and each cover is provided with a drainage hole. See column 4, lines 54-66 and Fig. 1.

With respect to claim 5, Schoeps et al. teaches an external air conduit, 17, connected to the covers. See column 3, lines 54-56.

With respect to claim 8, Schoeps et al. teaches each cover is formed as a short sleeve connected to a spray valve cap and having an end plate, 12, 13, attached to its end remote from the spray nozzle, the end plate being provided with the opening. See column 3, lines 27-38 and Fig. 2.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 6-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schoeps et al. in view of U.S. Patent No. 2,448,226 to Marsden.

Schoeps et al. teaches all that is claimed, as in the above rejection of claims 1-5 and 8, except that a spray valve for the spray nozzle is provided with an internal air conduit and an air bore connected to the cover, wherein the air bore has such a diameter that a throttling effect is obtained.

Marsden teaches a spray valve for a spray nozzle, G, provided with an internal air conduit, 45, and an air bore, 46, connected to the cover, wherein the air bore has such a diameter that a throttling effect is obtained. See column 4, lines 45-62 and Fig. 3.

It would have been obvious to one having ordinary skill in the art at the time of the invention to modify the apparatus of Schoeps et al. to have the internal air conduit and air bore of Marsden in order to better control the direction of the air flow into the cover.

Response to Arguments

6. Applicant's arguments filed April 12, 2007 have been fully considered but they are not persuasive.

In response to applicant's argument that Schoeps et al. discloses the same screen used for all of the nozzles rather than for a single nozzle, Schoeps et al. in column 4, on lines 19-21, recites that the nozzles are carried in a housing or housings. If there are multiple housings, then a same screen cannot be used for all the nozzles, as

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claimed by applicant, and one having ordinary skill in the art would understand that it is reasonable to infer that each nozzle has its own housing, as in applicant's claim.

In response to applicant's argument that Schoeps et al. does not disclose how air pressure levels are maintained and does not disclose a throttling device useable for such a purpose, Schoeps et al. in column 3, on lines 22-28, recites that the housings are maintained at a positive pressure. One having ordinary skill in the art would realized that, although it is not explicitly disclosed, Schoeps et al. inherently must have a throttling device to maintain the air pressure as disclosed. Therefore, Schoeps et al. meets the limitations of the claims.

Conclusion

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jill E. Culler whose telephone number is (571) 272-2159. The examiner can normally be reached on M-F 10:00-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Nguyen can be reached on (571) 272-2258. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

jec


Patent Examiner